

WILLIAM CROCKETT

Petitioner

v.

MARK SEVIER

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

NO: 1:22-CV-00556-JPH-TAB

**FILED**

08/10/2022

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
Roger A.G. Sharpe, ClerkMOTION TO AMEND

PURSUANT TO 28 U.S.C. § 2254 HABEAS CORPUS PETITION

BY A PERSON IN STATE CUSTODY TO STATE EVERY Ground ON

WHICH I AM BEING HELD IN VIOLATION OF THE CONSTITUTION, LAWS, OR

TREATIES OF THE UNITED STATES, NOW COMES THE PETITIONER WILLIAM CROCKETT

ON THE GROUNDS OF MERITS OF FACTUAL DISPUTE WERE NOT RESOLVED IN

STATE HEARING, THE STATES FACTUAL DETERMINATION IS, NOT FAIRLY SUPPORTED

BY THE RECORD AS A WHOLE. THE FACT FINDING PROCEDURE BY THE STATE COURT

WAS NOT ADEQUATE TO AFFORD A FULL AND FAIR HEARING. THERE IS SUBSTANTIAL

ALLEGATION OF NEWLY DISCOVERED EVIDENCE. THE MATERIAL FACTS WERE NOT ADEQUATELY

DEVELOPED AT THE STATE COURT HEARING OR FOR ANY REASON THE IDEA OF FACT

DID NOT AFFORD THE HABEAS PETITIONER WILLIAM CROCKETT A FULL AND FAIR HEARING.

I ASK AND PRAY THAT THE HONORABLE JUDGE AND COURT WILL ACCEPT MY MOTION

THE STATE COURT DECISION WAS CONTRARY TO OR INVOLVED AN UNREASONABLE APPLICATION

OF ESTABLISHED FEDERAL LAWS AS DETERMINED BY THE SUPREME COURT OF THE UNITED

STATES, AND THE LEGAL ISSUES THAT HAS NOT BEEN CONSIDERED BY THE STATE.

I ASK THAT THIS MOTION BE GRANTED IN RESPECT TO JUSTICE AND HONOR

SOME FORM OF RELIEF TO BE GRANTED, TO GET RELEASED FROM PRISON AND BE RELEASED TO COUNTRY.

I DECLARE UNDER PENALTY OF PERJURY THAT ALL THE STATEMENTS IN THIS PETITION ARE TRUE AND AGREE TO PROMPTLY

TELL THE COURT IF ANY CHANGE OF ADDRESS.

Respectfully,

William Crockett

WILLIAM CROCKETT

DOCUMEN#722572

NEWCASTLE CORRECTIONAL FACILITY

1000 CHURCH ROAD

P.O. BOX 11

NEWCASTLE, IN 47362

MARK SEVIER

RESPONDENT

INEFFECTIVE ASSISTANCE OF TRIAL COUNSEL - PROSECUTOR'S LAW

1. COUNSEL FAILED TO INVESTIGATE EXCULPATORY EVIDENCE  
THE ACTUAL CAUSE OF DEATH IN CONFLICT SEE! Autopsy Report  
With the Murder shown to the JURY AND

THE PROSECUTOR'S TESTIMONY AND THE STATES  
WITNESS WHO GOT A DEAL TESTIMONY. THE bullet THAT WAS  
THE CAUSE OF DEATH CANNOT DISPENSE OUT OF THE MURDER WEAPON  
SHOWN, THAT THE PROSECUTOR SAID WAS MINE BECAUSE MICHAEL  
WRIGHT SAID HE NEVER SEEN IT BUT ANTRON HAD IT BOLDED UP

2. IN SOME CLOTHES WHILE I WAS OUT OF TOWN. THERE WAS NO  
FINGERPRINTS OR PROOF OF OWNERSHIP TO SAY IT BELONGED TO  
WILLIAM CROCKETT LIKE THE PROSECUTOR TOLD THE JURY BUT NEVER SHOWED / HETORY

Death Counsel should have impeached WRIGHT and filed prosecutor misconduct  
(OBJECTION) knowingly making false statements to jury and presenting FALSE EVIDENCE

2. Ineffective ASSISTANCE of Counsel.

Failed TO FILE A MOTION FOR AN JUDGMENT OF ACQUITTAL  
WHEN MIKE WRIGHT TESTIFIED AND MIKE WRIGHT NEVER SPOKE  
TO WILLIAM CROCKETT AND SAID HE NEVER SPOKE TO WILLIAM CROCKETT  
TELLING HIM TO COMMIT A MURDER, HE NEVER SPOKE TO WILLIAM CROCKETT WHILE  
WILLIAM CROCKETT WAS OUT OF TOWN. AND WILLIAM CROCKETT NEVER GAVE HIM  
A GUN. MIKE WRIGHT ALSO STATES IN HIS TRIAL TESTIMONY THAT HE "MIKE WRIGHT  
WAS HIGH OFF COCAINE AND WANTED TO KILL THE VICTIM FOR HIS OWN  
PERSONAL REASONS, AND HE KILLED HIM SEE MR WRIGHT'S TEST. MONY. I

NEVER HAD A REASON TO QUESTION MY ATTORNEYS I THOUGHT THEY KNOW

I'M INNOCENT AND COULD PROVE IT (WRIGHT'S TESTIMONY ALONE IS EXCULPATORY)

3. Ineffective Assistance of Trial Counsel for Failing to Depose and Call Antione Crockett as a witness. Antione's testimony would have provided exculpatory evidence and viable defense for all these false accusations.

Antione and Mike Wright was together 90% of the time, every day. The day of the murder Antione and Mike Wright was picking money - collecting money and selling drugs, they went and got Wright's mother at 11:00 a.m. Antione said he got dropped off. The prosecutor and everybody bring up Antione Crockett name.

Antione Crockett could tell them I never gave him a gun in his life. Antione Crockett could tell them I never told him to kill anyone in his life.

Antione Crockett could have testified to everything he and Wright do and discuss.

Antione Crockett could tell you that I had kids with me and then took 2 women out of town to Fort Wayne to party at the clubs for the weekends, Lindsay Road, Brownstown.

Antione Crockett could tell the jury that William Crockett only discussed the hustling equation with him, and Antione Crockett could testify we only go to clubs and party with girls, go picnic, or barbecue when we spend time together.

Antione could have testified he didn't get a gun of any caliber gun.

P.S. continued



Undated Ground 3. Ineffective Assistance of Trial Counsel for Failing to Call Antoine CROCKETT AS A WITNESS, HAINES TESTIMONY WAS EXCULPATORY EVIDENCE.

Antoine Crockett also could have testified he never got any caliber bullets from me or my apartment.

Antoine Crockett could have testified and told the jury I use to go to the casino 5 to 6 times a week and I won a nice amount of money every time I went.

Antoine Crockett could have testified I would always go to the casinos in Gary Indiana, and the Blue Chip with my father, Grandfather, Dawn Buwa, Dartsayrider, mother - DOMINIQUE five days a week.

Antoine Crockett could have testified I spent time with my kids

every week and took other kids and relatives places - PIZZA PARNES

Amusement Parks, Showbiz, Rent Hotels suites so they go swimming.

Antoine Crockett could have testified I had a working history - You can verify I worked at Bakene Nubbers, Thermoplastics, Signature Group Telemarketing - MACDONALDS, Rally Hamburgers, Penny Saver, Tribune - South Bend delivery

TOUGREEN-LAWN, VETERANS TELEMARKETING - downtown South Bend 1 Time Jims Building

The first time off of Main St. - 1 Block from Court House downtown South Bend,

I had a job at the recycling METAL Factory Building in Elkhart

2 other jobs in Elkhart also still got my checks, I can't remember the name of them but I was a fork lift driver through temp service Building Campers - RV's, the other I was a stainer and painter.

I had my own personal landscaping and painting business, and Antoine Crockett

could have testified I went to Ivy Tech College, for business Administration Associates Degree - Did not finish. Antoine could testify I was never in the STAGETS.

Antoine Crockett could have told them I spent all time with family.

3. Continued Ineffective Assistance of Trial Counsel for Failing to Call Anthony Cockett  
As a witness Anthony Cockett testimony would have provided exculpatory evidence  
and a viable defense for all these false accusations, for William Cockett.  
Also Anthony Cockett could have testified Mike Wright never talked to me the  
day or night of the murder. He was with Wright entire day and night until 10:20 am.  
Anthony Cockett could have testified he got dropped off and Wright  
admitted to killing the victim for his own reasons.  
Anthony Cockett could've testified that William Cockett never told Mike  
Wright to kill anyone.  
Anthony Cockett could've testified William Cockett never gave Mike Wright a  
gun, a weapon, nor ammunition of any kind.  
Anthony Cockett could've testified that we were not together  
ever discussing any type of murder with Mike Wright, or period.  
Anthony Cockett could've testified that Mike Wright got high off  
cocaine regularly. Anthony Cockett could also testify William Cockett was out of town and didn't call victim.  
Anthony Cockett could've also testified William Cockett did not call the victim - to use him out.  
Ineffective Assistance of Counsel for Failing to Investigate Exculpatory Evidence.  
And Request All phone records of any in question at any time  
concerning the victim, Mike Wright, Anthony Cockett, and William Cockett  
And Best Western Hotel in Angola, and Carltons Lodge in Mishawaka IN,  
Never any discussions of murder, or guns by William Cockett or anybody  
William Cockett talked too.

#### 4. Ineffective Assistance of Trial Counsel For Failing To Investigate

Trial Counsel Failed To File Motion To Suppress Evidence, Of The Gun

And Should Have Objected To The Prosecutor Presenting A Gun Challenging The Murder Weapon Owned By

William Crockett. He would have exercised ordinary skill he would have compared the Agency Report in full and the local bill of ~~cause of death~~ with the weapon shown and found out it cannot dispense (dispensed)

these kind of bullets that this prosecutor claimed that the gun was owned by William

Crockett with no proof. (She testified. The prosecution statement came with the lay to trust the Government judgment, ~~from~~

So Prosecutor could have subpoenaed all phone records and tapes of cell phones, hotels, and houses ~~to~~ prove

my innocence and never order or tell any one to commit murder or provide any weapon to anyone.

#### 5B. Prosecutor Misconduct

'The alleged "factual" improbabilities were so egregious that they fatally infected the trial.

was so prejudicial as to deprive William Crockett of a fair trial.

Why the Prosecutor was permitted to testify knowingly introduced perjured testimony, false evidence.

Jeanne Calabrese bolstered the states witnesses Kyle and Wright who both

gave conflicting statements as they both made deals for lesser sentences, and had

motives to lie. In some point the prosecutor had to listen to Kyle's testimony

he said it was a drive by shooting and it was weeks, or months before this

victim deceased and he just made up and said anything but in this trial - she

prosecutor stressed days, with Kyle and others. Mike Wright admitted to the killing

and said I never spoke to him so how can I get convicted for a crime I did

not commit or have any knowledge, out of town partying with 2 girls. I never

gave anybody orders or weapons to kill anyone. "Facts" Prosecutor had to listen to

Wright's testimony, Prosecutor used false evidence, perjured testimony. the conviction

rested almost on the credibility of the states witnesses and a gun that was not the murder

weapon and Mike Wright testimony - He was the only eye-witness, and he actually committed

the crime, his testimony was critical to the prosecution case, and he said he never

talked to me or was told by me to kill anybody, and I never gave him a gun or weapons.



CONTINUED

3. Ineffective Assistance of Trial Counsel should have filed Amended PLEADINGS FOR A MISDEAMOR.
8. Ineffective Assistance of Trial Counsel for Failure to Call William Crockett to Testify for Exculpatory Evidence. I could've testified to all my facts and THAT I NEVER TOLD ANYONE TO KILL THE VICTIM, I NEVER GAVE ANYBODY A WEAPON OR AMMUNITION TO KILL THE VICTIM. I NEVER TOLD ANYBODY TO GET A GUN FROM MY APARTMENT, WHEN I DIDN'T HAVE ANY GUNS OR AMMUNITION AT MY APARTMENT. I COULD'VE ADMITTED TO MY LIFESTYLE, WITH FAMILY AND FRIENDS, MY GAMBLING, AND I WOULD NEVER KILL ANYONE OR TELL ANYONE TO KILL ANYONE.
9. Direct Appeal Counsel should have emphasized Wright's Testimony - Admitted to killing the victim to kill William Crockett.
10. Direct Appeal Counsel was Ineffective for Failure to Call Antoine Crockett as witness - Evidentiary Hearing.
11. Direct Appeal Counsel was Ineffective for Failure to investigate Coward and Antwerp Report cause of death.
12. Direct Appeal Counsel was Ineffective FOR Failure to File Prosecutor MISCONDUCT - GOWIE TO JURY SAYING WILLIE CROCKETT.
13. Ineffective Assistance of Post Conviction Counsel for Failure TO Call Antoine Crockett - FOR Evidentiary Hearing Exculpatory Evidence his Testimony, AND CONCERNING ALL EVENTS LEADING TO THE NIGHT IN QUESTION.
14. Ineffective Assistance by not getting Antoine Crockett's Testimony to be a part of the record.
15. Ineffective Assistance of Counsel for failing to Call MIKE WRIGHT FOR Evidentiary Hearing AND Exculpatory Evidence William Crockett NEVER TOLD HIM, GAVE HIM AN ORDER TO KILL ANYONE NOR EVER GAVE HIM A WEAPON, NOR TALKED TO HIM WHILE I WAS OUT OF TOWN, NOR IN TOWN THE NIGHTS IN QUESTION ON THE TELEPHONE, HE SAID HE KILLED THE VICTIM BECAUSE HE WANTED TO DO FOR HIS OWN REASONS, AND SAID HE WAS GETTING HIGH OFF COCAINE, AND SAID HE CALLED THE VICTIM, WILLIAM CROCKETT NEVER TOLD HIM TO DO ANY OF THOSE ACTS, I NEVER GOT HIM.
16. Ineffective Assistance of Post Conviction for Failing to Call William Crockett to Testify in reference to this case for Exculpatory Evidence AND EVERY EVENT, PERSON, OR ITEM IN QUESTION.
17. Ineffective Assistance of Post Conviction Counsel Failure to Investigate Antwerp Report cause of death KNOWING THAT WAS IN CONFLICT WITH NOT ONLY THE PROSECUTION'S TESTIMONY, BUT SHE ALSO PRESENTED A WEAPON TO THE JURY THAT WAS NOT THE CAUSE OF DEATH, "SEE BULLETS AND ONLY CERTAIN GUNS CAN SHOOT CERTAIN BULLETS. 38 bullet, 38 caliber, 9mm millimeter 9 millimeter bullets, 357 only 357 bullets. →

over piece of evidence

17. Ineffective Assistance of Post Conviction Counsel for Failing to Investigate

Bullets And Actual Cause of Death, "Autopsy Report" By Dr. Michael Beckett?

In Full, To prove the prosecutor infected the jury with false evidence

And the gun was never mine no proof of ownership, no fingerprints, and her Perjured Testimony by her, AND STATE WITNESS OF What kind of gun was used to kill victim.

18 Ineffective Assistance of Post Conviction Counsel for Failing to call William Crockett

to testify in Record for exculpatory evidence to presented for Relief of all events in question.

19 Prosecutor Misconduct - The state failed to evaluate this case and the evidence properly in accordance with the correct STANDARD by reasonable determination of facts.

20 Prosecutor Misconduct - knowingly used some part of this investigation and trial by false evidence Perjured testimony - Because Joanne Calabrese failed to call Michael Crockett as a states witness - My William Crockett exculpatory evidence. And she knew Mike Wright was always together even right of the Mike Wrights decision to kill the victim, and was with him earlier and everyday previously.

21 Ineffective Assistance of Trial Counsel for Failing to Try and Get me a plea

Bargain. Mr. Kupar never said the state offered me a plea bargain.

The prosecutor wanted me guilty of having people sell drugs

and collect money, they know I didn't kill or have anybody, or tell anybody or provide weapons to kill anybody, nor the victim.

22, Ineffective Assistance of Trial Counsel for Failing to Request the submission of instructions of lesser included offenses - <sup>WATSON</sup> OUTSIDE OF LENA

23. Ineffective Assistance of Trial Counsel for Failing to Investigate and subpoena all phone records and tapes in question <sup>AND</sup> cell phone, houses, hotels for exculpatory evidence no murder as gun discussed by William Crockett

23, Ineffective Assistance of Trial Counsel for Failing to Investigate and Request the submission of instructions of lesser included charges whatever deemed necessary, I did not commit the underlying offense in no sharper form.

24. Ineffective Assistance of Post Conviction Counsel - To Investigate Subpoena phone records cell phone records, Home Hotels, any investigation to prove William Crockett never discussed murder or weapons with anybody.

25. <sup>Post-conviction</sup> Ineffective Assistance of Failure to Investigate and Present Ineffective Assistance of Trial Counsel for Failing to uphold the EFFECTIVE ASSISTANCE OF COUNSEL STANDARD. PAGE 10